

Staff Report



To City Council
Service Area Infrastructure, Development and Environment
Date Tuesday, March 10, 2026
Subject **Statutory Public Meeting Report 70 Fountain Street East Proposed Official Plan Amendment and Zoning By-law Amendment File: OZS26-001**

Recommendation

1. That the Statutory Public Meeting Report for the applications received from UP Consulting, on behalf of Fitzrovia Residential Inc. for an Official Plan Amendment to retain the existing 'Mixed Use 1' designation while deleting Subsection 11.1.7.3.9.1 in its entirety, and a Zoning By-law Amendment to rezone the subject lands from D.1-27(H28) to a new site-specific D.1-XX zone together with lifting the holding symbol (H28) to permit a 24-storey, mixed-use building containing 440 square metres of ground-floor retail, 5 stacked townhouse units, and 419 purpose-built rental dwelling units at 70 Fountain Street East, from Infrastructure, Development and Environment dated March 10, 2026 be received.
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Executive Summary

Purpose of Report

The purpose of this report is to provide planning information on an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) application to permit a twenty-four-storey, mixed-use building comprising of 440 square metres retail spaces on the ground floor, five stacked townhouse-style units within the building's podium at the lower and upper ground floor, and 419 purpose-built rental dwellings units along with indoor and outdoor amenities on lands municipally known as 70 Fountain Street East.

Key Findings

Key findings will be reported in the future Infrastructure, Development and Environment Services recommendation report to Council.

Strategic Plan Alignment

The review of this development application will align with the City Building theme in the 2024-2027 Strategic Plan. The review will include an assessment of its conformity with the policies of the City's Official Plan, which is the City's key document for guiding future land use and development.

Future Guelph Theme

City Building

Future Guelph Objectives

City Building: Improve housing supply

Financial Implications

Financial Implications will be reported in the future staff recommendation report to Council.

Report

Background

An application for an Official Plan Amendment and Zoning By-law Amendment has been received for the property municipally known as 70 Fountain Street East from UP Consulting, on behalf of Fitzrovia Residential Inc on January 13, 2026, and deemed complete on February 9, 2026.

Location

The subject lands are located in Downtown Guelph and have an approximate lot area of 2,030 square metres (0.2 hectare). The lands have frontage along three streets which includes approximately 65 metres of frontage along Fountain Street East (to the east) and Farquhar Street (to the west), and approximately 33 metres on Wyndham Street (to the south). The lands are municipally known as 70 Fountain Street E (see Attachment-1 Location Map and 120 metres Circulation and Attachment-2 Aerial Photograph).

The subject lands are currently occupied by a three-storey office building with surface parking at the rear. The existing building is proposed to be demolished to facilitate the redevelopment.

The subject lands are within the Downtown Heritage Conservation District. The property known as 70 Fountain Street East/75 Farquhar Street has been listed as a non-designated built heritage resource in the Municipal Register of Cultural Heritage Properties since 2009.

Surrounding land uses include:

- To the north: Lands are zoned Downtown 3 (D3) zone having a mix of low-rise residential and commercial buildings that transition towards Neeve Street. The subject property is adjacent to 81 Farquhar Street, an individually designated heritage property protected by By-law (2011)-19269 under section 29, Part IV of the Ontario Heritage Act.
- To the east: Lands are zoned Downtown 1 zone. A two-storey building of Ontario Court of Justice is situated beyond Fountain Street East. Further east, the lands contain a mix of commercial uses, including retail, office and service-oriented uses
- To the south: Lands are zoned Downtown 3 zone. Wyndham Street intersects Farquhar Street to the south of the subject lands. Beyond Wyndham Street is the Guelph Police Services Building.

- To the west: Lands are zoned Downtown 3 zone. The Guelph Armoury, to the southwest of the subject lands, is a three-storey red-brick and limestone building with four-storey centre section and is occupied by the Royal Canadian Air Cadets. The Armoury (7 Wyndham Street South) is listed as a non-designated built heritage resource in the Municipal Register of Cultural Heritage Properties and is recognized as a Federal heritage landmark. The lands to the west of Farquhar Street are occupied by the Drill Hall building and the Guelph Central Station. The subject property is adjacent to the Drill Hall building (72 Farquhar Street) a designated heritage property protected by By-law (2018)-20332 and the Guelph Train Station building (79 Carden Street) a designated heritage property protected by By-law (2013)-19615. Both are individual designations under section 29, Part IV of the Ontario Heritage Act.

Existing Official Plan Land Use Designations and Policies

The subject lands are designated Mixed Use 1 in Schedule 2 (Land Use Plan) of Guelph Official Plan and fall within the Downtown Secondary Plan Area. The lands are also identified as part of the Urban Growth Centre (Downtown Guelph) and are located within a Major Transit Station Area, as shown on Schedule 1A of the City of Guelph Official Plan. Schedule D (for Downtown Secondary Plan Maximum Building Heights) of the Official Plan (OPA 106) permits building heights of up to 24 storeys on the subject lands.

The Mixed Use 1 designation permits a broad range of uses which include retail and service commercial uses such as restaurants and personal services, multiple-unit residential buildings such as apartments and townhouse dwellings, live/work units, office uses, entertainment and commercial recreation uses, community services and facilities, public parking facilities, hotels, parks and urban squares, and other employment uses that align with the principles, objectives, and policies of the Downtown Secondary Plan.

Further details on the land use designation and policies will be provided in the future staff recommendation report. Official Plan mapping can be found in Attachment-3 Official Plan Designation.

Proposed Official Plan Amendment

The Official Plan Amendment application proposes to retain the existing Mixed Use-1 land use designation in Schedule 2 of the Official Plan. However, the applicant is requesting a site-specific amendment to delete Subsection 11.1.7.3.9.1 of the Official Plan in its entirety.

Specifically, the application seeks to remove the following three policies of Subsection 11.1.7.3.9.1

- requirement for a minimum of 1,550 square metres of office space;
- the maximum building height limit of 16 storeys. (This height limit is now redundant following the approval of OPA 106, which is now in effect and permits a maximum height of 24 storeys on the subject lands); and
- OP Policy 7.2.5 – *“the conversion of rental accommodation to condominium housing tenure is not permitted on this site”* would no longer apply (as the proposed development is intended to function as purpose-built rental housing).

The intent of this amendment is to remove the above policies that remain in the Official Plan from a previously approved development concept associated with

earlier OPA/ZBA applications, which were approved by the Ontario Land Tribunal (OLT) in March 2022 (City File No. OZS19-015).

Details of the proposed Official Plan Amendment are included in Attachment-4.

Existing Zoning

The Comprehensive Zoning By-law (2023) – 20790 zones the subject lands as Downtown 1 Zone with Site-Specific Special Provisions (D.1-27(H28)) and has a Holding (H28) Provision.

As per the applicable Section 9.1, the D.1 Zone permits a broad range of uses in a mix of highly compact development forms. As per Section 9.2, permitted uses include apartment buildings, private home day cares, group homes, home occupation, hospice, live-work units, lodging house type 1, long term care facilities, mixed-use buildings, retirement residential facility, supportive housing, on-street townhouses, and rear access on-street townhouses. Retail, service, office and community uses are also permitted in D1 zone.

As per Section 18.14.29 of Zoning By-law (2023)-20790, site-specific provisions are applicable to the subject property. The site-specific provisions are a result of a previous Zoning By-Law Amendment that was approved at the OLT in March of 2022.

An “H28” holding provision are applied to lands to ensure that development of the subject lands does not proceed till the sanitary sewer condition and sanitary capacity is confirmed and available for the proposed development to the satisfaction of the City.

The existing zoning for the Subject Lands is shown in Attachment-5 Existing Zoning.

Proposed Zoning By-law Amendment

The purpose of the Zoning By-law Amendment is to rezone the subject property from D.1-27(H28) to D.1-XX with the following site-specific provisions:

1. Maximum Floorplate – 7th and 8th floor: 1,228 square metres
2. Maximum Tower Floorplate – Above 8th floor: 1,059 square metres
3. Maximum Tower Floorplate Length-to-Width Ratio: 2.2:1
4. Minimum Tower Setback (above 12th floor): 12.5 m from the northern lot line
5. Maximum Building Height: 24 storeys, measured from Farquhar Street
6. Lower Ground Floor: Not considered a storey for height purposes
7. Rooftop Amenity Space: Permit roof top amenity including a swimming pool and excluded from height calculations
8. Minimum Active Entrances: One (1) principal entrance on Wyndham Street only and not on Farquer Street and Fountain Street
9. Minimum Ground Floor Glazing: 56% of façade up to 4.5 metre above grade
10. Bicycle Parking:
 - Residential: 288 long-term + 30 short-term
 - Retail: 1 long-term + 1 short-term

and Removal of Holding Provision H28.

Details of the proposed zoning are included in Attachment-6 Proposed Zoning.

Development Proposal

The proposed Official Plan and Zoning By-law amendments would permit the development of a twenty-four-storey, mixed-use building having approximately 440 square metres of ground-floor retail space, five stacked townhouse-style units integrated into the building's podium at the lower and upper ground floors and a residential tower above containing 419 purpose-built rental dwelling units.

The building is designed with a four-storey podium and a 20-storey tower above. The tower incorporates step-backs above the 5th and 9th storeys and provides a range of unit types, including studio, one-bedroom, two-bedroom, and three-bedroom units. A total of 1,485 square metres of amenity space is proposed, consisting of indoor and outdoor amenity areas on the 5th floor and additional amenity space within the rooftop mechanical penthouse. An outdoor rooftop pool is also proposed which requires zoning approval in the form of site-specific special provisions.

A total of 95 parking spaces are proposed within one level of underground parking and within the podium which includes four barrier-free spaces. Bicycle parking facilities are also provided to support active transportation. Vehicular access to underground parking is proposed from Fountain Street. A second access from Farquhar Street is proposed to the podium-level parking. A loading area and limited surface parking are proposed from Fountain Street to accommodate residents, visitors, and the non-residential uses.

The proposed site plan can be viewed in Attachment-7 Conceptual Site Plan and the conceptual rendering of the proposed building can be viewed in Attachment 8- Conceptual Rendering of Proposed Development.

Supporting Documents

The following information was submitted in support of the application:

- Planning Justification Report including the Community Engagement Report, proposed Official Plan Amendment and proposed Zoning By-law Amendment prepared by Up Consulting Ltd.;
- Urban Design Brief prepared by Up Consulting Ltd.;
- Record of Pre-Consultation;
- Architectural Package including the site plan, floor plans, cross sections, elevations and renderings prepared by Hariri Pontarini Architects;
- Shadow Study and Shadow Study Cover Letter prepared by Hariri Pontarini Architects;
- Geotechnical Report prepared by Grounded Engineering Inc.;
- Hydrogeological Report prepared by Grounded Engineering Inc.;
- Phase One Environmental Site Assessment prepared by Grounded Engineering Inc.;
- Phase Two Environmental Site Assessment prepared by Grounded Engineering Inc.;
- Cultural Heritage Resource Impact Assessment prepared by GBCA;
- Bird Friendly Design Checklist prepared by Hariri Pontarini Architects;
- Transportation Noise Feasibility and Ground Vibrations Assessment prepared by Gradient Wind;
- Pedestrian Level Wind Study prepared by Gradient Wind;

- Tree Inventory and Preservation Plan prepared by Kuntz Forestry Consulting Inc.;
- Tree Inventory and Preservation Report prepared by Kuntz Forestry Consulting Inc.
- Functional Servicing Report (and Stormwater Management) prepared by R.J. Burnside & Associates Limited
- Legal and Topographic Survey prepared by Van Harten Surveyors
- Transportation Impact Study prepared by Stantec Consulting

Staff Review/Planning Analysis

The review of these applications will address the following issues:

- Evaluation of the proposal for conformity and consistency with Provincial policy and legislation, the 2024 Provincial Planning Statement.
- Evaluation of the proposal's conformity with the Official Plan and the proposed changes to the Official Plan designation.
- Review of the proposed zoning, including the need for specialized regulations.
- Review of the proposal's land use compatibility with adjacent and established land uses.
- Review of the proposed site layout, built form, parking, and site servicing.
- Review of supporting documents submitted with the development applications.
- Review alignment with the City's Affordable Housing Strategy.
- Address comments and issues raised during the review of the application.

Once the applications are reviewed and all issues are addressed, a report from Infrastructure, Development and Enterprise Services with a recommendation will be considered at a future meeting of Council.

Financial Implications

Financial Implications will be reported in the future staff recommendation report to Council.

Consultations and Engagement

The Notice of Complete Application and Public Meeting was mailed to local boards and agencies, City service areas and property owners within 120 metres of the subject lands on February 12, 2026. The Notice of Public Meeting was also advertised on the City of Guelph's website and in Guelph Today (City Information section) on February 12, 2026. Notice of the applications have also been provided by signage on the property, which was installed on February 23, 2026. All supporting documents and drawings received with the applications have been posted on the City's website.

Attachments

Attachment-1 Location Map and 120 metre Circulation

Attachment-2 Aerial Photograph

Attachment-3 Existing Official Plan Designation

Attachment-4 Proposed Official Plan Amendment

Attachment-5 Existing Zoning

Attachment-6 Proposed Zoning

Attachment-7 Conceptual Site Plan

Attachment-8 Conceptual Rendering of Proposed Development

Attachment-9 Public Meeting Staff Presentation

Departmental Approval

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